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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROSALIO ANDRES SIGUENZA-  
ROMERO, aka "Tweety,"

Defendant,

ZENITH FIREARMS, INC.,

Petitioner.

2:20-CR-156-RFB-DJA

**Stipulation for Entry of Order of  
Forfeiture as to Zenith Firearms, Inc.,  
and Order**

The United States of America and Zenith Firearms, Inc. (ZFI), and its counsel,  
Aaron D. Lovaas, Esq., agree as follows:

1. Rosalio Andres Siguenza-Romero, aka "Tweety," pled guilty to Count 3 of a  
21-Count Criminal Indictment charging him with conspiracy—dealing in firearms without a  
license in violation of 18 U.S.C. §§ 371, 922(a)(1)(A), and 923(a), and agreed to the  
forfeiture of property set forth in the Plea Agreement, and Forfeiture Allegation Three of the  
Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 359; Plea  
Agreement, ECF No. 361; Preliminary Order of Forfeiture, ECF No. 362.

2. Rosalio Andres Siguenza-Romero, aka "Tweety," agreed to the forfeiture of  
property set forth in the Plea Agreement and Forfeiture Allegation of the Criminal

1 Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 359; Plea  
2 Agreement, ECF No. 361; Preliminary Order of Forfeiture, ECF No. 362.

3 3. On June 2, 2023, Zenith Firearms, Inc. (ZFI) filed a Petition for Ancillary  
4 Hearing, ECF No.404, Declaration of Kutlay Kaya, ECF No. 405, and Certificate of  
5 Service, ECF No. 406.

6 4. The United States published the notice of forfeiture in accordance with the  
7 law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively  
8 from March 23, 2023, through April 21, 2023, notifying all potential third parties of their  
9 right to petition the Court. Notice of Filing Proof of Publication Exhibits, ECF No. 622.

10 5. On May 3, 2023, the United States mailed service to Kutlay Kaya, CEO,  
11 Zenith Firearms, Inc.; Notice of Filing Service of Process – Mailing, ECF No. 623.

12 6. ZFI did not file an insurance claim for the property.

13 7. ZFI has not been compensated for the value of the property by any insurer or  
14 third party.

15 8. ZFI has not traded, sold, or otherwise alienated its interest in the property.

16 9. ZFI knowingly and voluntarily agrees to the civil administrative forfeiture,  
17 the civil judicial forfeiture, or the criminal forfeiture of the property.

18 10. ZFI knowingly and voluntarily agrees to forfeit the property to the United  
19 States.

20 11. ZFI knowingly and voluntarily agrees to relinquish all possessory rights,  
21 ownership rights, and all rights, titles, and interests in the property.

22 12. ZFI knowingly and voluntarily agrees to waive its rights to any civil  
23 administrative forfeiture proceedings, any civil judicial forfeiture proceedings, or any  
24 criminal forfeiture proceedings (all of which constitutes proceedings) of the property.

25 13. ZFI knowingly and voluntarily agrees to waive service of process of any and  
26 all documents filed in this action or any proceedings concerning the property.

27 14. ZFI knowingly and voluntarily agrees to waive any further notice to it, its  
28 agents, or its attorneys regarding the forfeiture and disposition of the property.

1       15.       ZFI knowingly and voluntarily agrees not to file any claim, answer, petition,  
2 or other documents in any proceedings concerning the property except the third-party  
3 petition and this Stipulation.

4       16.       ZFI knowingly and voluntarily agrees to withdraw any claims, answers,  
5 counterclaims, petitions, or other documents they filed in any proceedings concerning the  
6 property.

7       17.       ZFI knowingly and voluntarily agrees to waive its right to a hearing on the  
8 forfeiture of the property.

9       18.       ZFI knowingly and voluntarily waives the statute of limitations, the CAFRA  
10 requirements, Fed. R. Crim. P. 7, 11, 32.2, and 43(a), and 21 U.S.C. § 853(n), including,  
11 but not limited to, forfeiture notice in the charging document, the court advising defendant  
12 of the forfeiture at the change of plea, the court having a forfeiture hearing, the court  
13 making factual findings regarding the forfeiture, the court announcing the forfeiture at the  
14 change of plea and sentencing, the court attaching the forfeiture order to the Judgment in a  
15 Criminal Case, and any and all constitutional, statutory, legal, equitable rights, defenses,  
16 and claims regarding the forfeiture in any proceedings, including, but not limited to, double  
17 jeopardy and due process under the Fifth Amendment to the United States Constitution.

18       19.       ZFI knowingly and voluntarily waives any and all constitutional, statutory,  
19 legal, equitable rights, defenses, and claims regarding the property in any proceedings,  
20 including, but not limited to, a jury trial under the Sixth Amendment to the United States  
21 Constitution.

22       20.       ZFI knowingly and voluntarily agrees to waive (a) all constitutional, legal,  
23 and equitable defenses to, (b) any constitutional or statutory double jeopardy defense or  
24 claim concerning, and (c) any claim or defense under the Eighth Amendment to the United  
25 States Constitution, including, but not limited to, any claim or defense of excessive fines or  
26 cruel and unusual punishments in any proceedings concerning the property.

27       21.       ZFI knowingly and voluntarily agrees to the entry of an Order of Forfeiture  
28 of the property to the United States.

1       22.       ZFI knowingly and voluntarily agrees to the conditions set forth in this  
2 Stipulation for Entry of Order of Forfeiture as to Zenith Firearms, Inc., and Order  
3 (Stipulation).

4       23.       ZFI knowingly and voluntarily agrees to hold harmless the United States, the  
5 United States Department of Justice, the United States Attorney's Office for the District of  
6 Nevada, the United States Department of Homeland Security, the United States  
7 Immigration and Customs Enforcement/Homeland Security Investigations, the United  
8 States Bureau of Alcohol, Tobacco Firearms, and Explosives, the Las Vegas Metropolitan  
9 Police Department, their agencies, their agents, and their employees from any claim made  
10 by it or any third party arising from the facts and circumstances of this case.

11       24.       ZFI knowingly and voluntarily releases and forever discharges the United  
12 States, the United States Department of Justice, the United States Attorney's Office for the  
13 District of Nevada, the United States Department of Homeland Security, the United States  
14 Immigration and Customs Enforcement/Homeland Security Investigations, the United  
15 States Bureau of Alcohol, Tobacco Firearms, and Explosives, the Las Vegas Metropolitan  
16 Police Department, their agencies, their agents, and their employees from any and all  
17 claims, rights, or causes of action of any kind that ZFI now has or may hereafter have on  
18 account of, or in any way growing out of, the seizures and the forfeitures of the property in  
19 the civil administrative forfeitures, the civil judicial forfeitures, and the criminal forfeitures.

20       25.       Except as expressly stated in this Stipulation, no party, officer, agent,  
21 employee, representative, or attorney has made any statement or representation to any other  
22 party, person, or entity regarding any fact relied upon in entering into this Stipulation, and  
23 no party, officer, agent, employee, representative, or attorney relies on such statement or  
24 representation in executing this Stipulation.

25       26.       After the property is forfeited in the criminal case, the Final Order of  
26 Forfeiture is entered, the United States District Court has signed this Stipulation concerning  
27 the property, and the United States has no outstanding evidentiary needs concerning the  
28 / / /

property, within a practicable time thereafter for the United States, the United States knowingly and voluntarily agrees to transfer:

- a. MKE Model Z-5 9mm semiautomatic rifle, bearing serial number T0624-17BG00143;
- b. MKE Model Z-5RS 9mm semiautomatic pistol, bearing serial number T0624-17BH01145; and
- c. MKE Model Z-43P 5.56mm semiautomatic rifle, bearing serial number T0624-15BF00189

(all of which constitutes property) to Zenith Firearms, Inc. or their counsel, Aaron D. Lovaas, Esq.

27. This Stipulation shall be construed and interpreted according to federal forfeiture law and federal common law. The jurisdiction and the venue for any dispute related to, and/or arising from, this Stipulation is the unofficial Southern Division of the United States District Court for the District of Nevada, located in Las Vegas, Nevada.

28. The persons signing this Stipulation warrant and represent that they have full authority to execute this Stipulation and to bind the persons and/or entities, on whose behalf they are signing, to the terms of this Stipulation.

29. This Stipulation shall be construed and interpreted according to federal forfeiture law and federal common law. The jurisdiction and the venue for any dispute related to, and/or arising from, this Stipulation is the unofficial Southern Division of the United States District Court for the District of Nevada, located in Las Vegas, Nevada.

30. Each party acknowledges and warrants that its execution of this Stipulation is free and is voluntary.

31. Each party shall bear their own attorneys' fees, expenses, interest, and costs.

32. This Stipulation contains the entire agreement between the parties.

33. This Stipulation shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared primarily by

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counsel for one of the parties; it being recognized that both parties have contributed substantially and materially to the preparation of this Stipulation.

IT IS HEREBY CERTIFIED, under 28 U.S.C. § 2465(a)(2), that there was reasonable cause for the seizure and forfeiture of the property.

DATED: 5/17/2024

NEWMAYER & DILLION LLP

Aaron D. Lovas, Esq.  
AARON D. LOVAAS, ESQ  
*Counsel for Zenith Firearms, Inc.*

DATED: 5/17/2024

JASON M. FRIERSON  
United States Attorney

Jacob H. Operskalski  
JACOB H. OPERSKALSKI  
Assistant United States Attorney

DATED: 5/17/2024

Kutlay Kaya, CEO  
KUTLAY, KAYA, CEO, on behalf of  
ZENITH FIREARMS, INC.  
*Petitioner*

IT IS SO ORDERED:



RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

11/1/2024

DATED: \_\_\_\_\_